

Application No. 09/712,129
Art Unit 1624

August 27, 2003

Remarks

Reconsideration of the Examiner's Action dated May 27, 2003 is requested.

Status of the Claims

The Examiner's Action addressed all of the applicants' pending claims, namely Claims 1 to 75 and 77 to 147, and indicates that Claims 52 to 59, 65, 66, 79, 81, and 87 to 147 are allowed. Claims 1, 78 and 80 have been amended. No claims have been added. No claims have been cancelled. Accordingly, there is presented for the Examiner's consideration those claims which are the subject of Examiner rejection or objections, namely, Claims 1 to 51, 60 to 64, 67 to 75, 77, 78, 80, and 82 to 86.

Summary of the Examiner's Rejections

Claims 78 and 82 to 86 have been rejected under 35 U.S.C. § 112, first paragraph, and under 35 U.S.C. § 102 as being anticipated by the disclosure of Strupczewski (EP 402,644). Claims 1, 67 to 75, 80 and 82 to 86 have been rejected under § 112, second paragraph. Claims 2 to 51, 60 to 64 and 77 were objected to as being dependent on rejected base claims.

Reconsideration of the Examiner's rejections is requested respectfully.

August 27, 2003

Discussion of the Examiner's §§ 102 and 112 Rejections in Paragraphs 2. and 3. of the Action

It is submitted respectfully that the Examiner's § 102(b) and §112 rejections of independent claim 78 and claims 82 through 86 which are dependent thereof have been overcome by the amendment to claim 78 which deletes from the definition "R" the term --alkanoyl --.

Discussion of the §112 Rejections in Paragraph 5. of the Action

It is submitted respectfully that amendments to Claims 1 and 80 overcome various of § 112 rejections of these claims, as discussed below in paragraphs which correspond to various of the subparagraphs which appear in paragraph 5. of the Action.

- a) A semicolon after the moiety $-\text{CH}(\text{OR}_7)-\text{alkyl}$ in the definition of R in Claim 1 has been underlined in order to indicate material to be added.
- b) A comma after the moiety $-\text{C}(=\text{O})-\text{aryl}$ in the definition of R_{10} in Claim 1 has been deleted to conform with the original Claim 1, col. 113, line 10, of involved U.S. Patent No. 5,364,866.
- c) In Claim 80, a comma after the moiety $-\text{C}(=\text{W})-\text{heteroaryl}$ has been deleted, and the semicolon on the same line is no longer underlined, to conform with original Claim 80, col. 119, line 41, of involved U.S. Patent No. 5,364,866.

Application No. 09/712,129
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Accordingly, it is requested that the § 112 rejections of Paragraph 5. of the Action be withdrawn.

Discussion of the Claim Objections in Paragraph 6. of the Action

The Examiner has objected to Claims 2 to 51, 60 to 64, and 77 as being dependent upon rejected base claims. It is believed that all of the base claims are now in allowable condition and, thus, a withdrawal of the objections to these claims is requested respectfully.

Conclusion

In view of the foregoing amendments and remarks, applicants request respectfully that applicants' claims be allowed.

If the Examiner believes that there are matters that require additional attention in order to place the present application in condition for allowance, the Examiner is invited to telephone the undersigned.

Respectfully submitted,
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